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06-27-05

PATENT APPLICATION

ATTORNEY DOCKET NO. __10012513-1__

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Mark Harmon	Confirmation No.: 4918
Application No.: 09/940,193	Examiner: W.Y. Zhen
Filing Date: August 27, 2001	Group Art Unit: 2191
Title: USER INTERFACE TOOL ADAPTED TO FACILITATE COMPLETE CONFIGURING OF SOFTWARE OBJECTS	

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on __April 27, 2005__ .

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) $500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

( ) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)
      for the total number of months checked below:

        ( ) one month $120.00
        ( ) two months $450.00
        ( ) three months $1020.00
        ( ) four months $1590.00

     ( ) The extension fee has already been filled in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of ___$500.00___ . At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV482710963US, in an envelope addressed to: MS Appeal Brief, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date of Deposit: June 24, 2005

Typed Name: Donna Forbit

Signature:

Respectfully submitted,

Mark Harmon

By

R. Ross Viguet
Attorney/Agent for Applicant(s)
Reg. No. 42,203

Date: 06/24/05

Telephone No.: 214-855-8185

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark Harmon

Application No.: 09/940,193   Confirmation No.: 4918

Filed: August 27, 2001   Art Unit: 2191

For: USER INTERFACE TOOL ADAPTED TO   Examiner: W. Y. Zhen
       FACILITATE COMPLETE CONFIGURING OF
       SOFTWARE OBJECTS

APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As required under § 41.37(a), this brief is filed within two months of the Notice of

Appeal filed in this case on April 27, 2005, and is in furtherance of said Notice of Appeal.

The fees required under § 41.20(b)(2) are dealt with in the accompanying

TRANSMITTAL OF APPEAL BRIEF.

This brief contains items under the following headings as required by 37 C.F.R.

§ 41.37 and M.P.E.P. § 1206:

I.	Real Party In Interest	
II	Related Appeals and Interferences	
III.	Status of Claims	
IV.	Status of Amendments	
V.	Summary of Claimed Subject Matter	
VI.	Grounds of Rejection to be Reviewed on Appeal	
VII.	Argument	
VIII.	Claims	
IX.	Evidence	
X.	Related Proceedings	

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Appendix A   Claims

I.   REAL PARTY IN INTEREST

The real party in interest for this appeal is:

Hewlett-Packard Development Company, L.P., a Texas Limited Partnership, having its principal place of business in Houston, Texas.

II.   RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS

There are no other appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III.   STATUS OF CLAIMS

A.   Total Number of Claims in Application

There are 19 claims pending in the application.

B.   Current Status of Claims

1.   Claims canceled: 19

2.   Claims withdrawn from consideration but not canceled: None

3.   Claims pending: 1-18 and 20

4.   Claims allowed: None

5.   Claims rejected: 1-18 and 20

C.   Claims On Appeal

The claims on appeal are claims 1-18 and 20

IV.   STATUS OF AMENDMENTS

Applicant filed an Amendment After Final Rejection on February 17, 2005. The Examiner responded to the Amendment After Final Rejection in an Advisory Action mailed

March 28, 2005. In the Advisory Action, the Examiner indicated that Applicant's proposed amendments to claims 11, 12, 16, 17, and 20 would be entered. Accordingly, the claims enclosed herein as Appendix A incorporate the amendments to claims 11, 12, 16, 17, and 20, as indicated in the paper filed.

V.   SUMMARY OF CLAIMED SUBJECT MATTER

According to claim 1, a user interface tool (page 17, lines 1-11) comprises:

a software object creation process (figure 2, item 200), providing guidance to a user with respect to creation of a software object by said software object creation process (page 13, lines 11-20); and

an information communication link (page 13, lines 25-28) to a software object editor (figure 2, item 250), said link providing information with respect to said software object created by said software object creation process to facilitate operation of said software object editor with respect to said software object (page 13, line 23 through page 14, line 4).

Claim 5 recites the user interface tool of claim 4 wherein said selectable attributes are configurable by said software object editor (page 16, lines 12-15).

Claim 9 recites the user interface tool of claim 8 wherein said software object configuration option process further provides selectable repeating of said software object creation process (page 17, lines 12-23).

Claim 11 recites the user interface tool of claim 1 wherein said information communication link is established directly after selection of a software object attribute for which said software object editor provides configuration editing (page 18, lines 3-9).

According to claim 12, a method for configuring a software object comprises:

providing guidance to a user with respect to selection of attributes of a software object (page 13, lines 15-20);

providing information to said user with respect to configuring selected ones of said attributes of said software object through use of a user interface tool providing said guidance to said user (page 13, lines 21-25);

providing information with respect to said software object to a software object editor to facilitate operation of said software object editor for configuring said selected ones of said

attributes of said software object (page 13, line 25 through page 14, line 4); and

repeating said providing guidance to said user, said providing information to said user, and providing information to said software object editor to thereby provide continuous configuration of a plurality of software objects (page 17, lines 12-23).

Claim 17 recites the method of claim 16 further comprising activating said selectable activation of said information communication link upon completion of said providing guidance to said user (page 18, lines 3-9).

Claim 18 recites the method of claim 16 further comprising activating said selectable activation of said information communication link upon selection of a software object aspect for which said software object editor provides configuration editing (page 18, lines 3-9).

According to claim 20, a computer program product for use in creating a data collector and providing configuration of said data collector comprises:

a processor readable medium having processor readable code stored thereon (page 18, lines 18-26), wherein said processor readable code includes;

a data collector creation process providing guidance to a user with respect to creation of a software object (page 13, lines 15-20);

a data collector configuration option process operable after completion of said data collector creation process (page 15, lines 9-11), wherein said data collector configuration option process provides information with respect to configuration of said software object created by said data collector creation process (page 15, lines 3-13), wherein said data collector configuration option process includes a user selectable option (figure 3G, item 300G) to establish a communication link with and launch an external editor process (page 15, lines 17-19), said communication link providing information with respect to said data collector created by said data collector creation process to facilitate configuration of said data collector using said editor process (page 13, lines 25-28), and wherein said data collector configuration option process also includes a user selectable option to repeat operation of said data collector creation process and said data collector configuration option process for creating and configuring a plurality of data collectors (page 17, lines 12-23).

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-18 and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by "Smart Internet Usage: Installation and Configuration Guide," November 1999 (hereinafter, *SIU*).

VII.   ARGUMENT

A.   Claims 1-4, 7-8, and 10

To anticipate a claim under 35 U.S.C. § 102, a reference must teach every element of the claim. See *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Moreover, in order for an applied reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). As discussed further below, these requirements are not satisfied by the 35 U.S.C. § 102 rejection because *SIU* does not teach every element of the claims.

SIU, the sole reference in the rejections at issue, is a manual written to assist Information Technology (IT) personnel in setting up Smart Internet Usage software in a computer system. See *SIU* at 6. Specifically, the manual describes the prior art software mentioned in the Background of the Invention section and illustrated in figures 1A-G of the present application.

The prior art software described in *SIU* operates as follows. First, the user creates the various collectors in a creation process that is facilitated by a Creation Wizard. See *Id.* at 15-16. During creation, the user specifies the type of collector, the meters to be read, the aggregation scheme, and the data store. See *Id.* This is a high level creation process that does not offer the fine-grained configuration needed to craft effective collectors in the computer system. The attributes of the collectors, whether created in the wizard or configured later, are stored in the configuration server. See *Id.* at 16. *SIU* does not teach that the configuration server performs a software object editing function, and, in fact, does not teach that the configuration server does anything more than allow access to settings or programs. See *Id.* at 16 and 51-52.

Claim 1 recites, in part, "an information communication link to a software object editor, said link providing information with respect to said software object created by said software object creation process." *SIU* does not teach the above-quoted feature of claim 1. The Final Office Action at page 3 relies upon the Creation Wizard and the configuration server, disclosed at pages 16-17 and 51-52 of *SIU*, as teaching the feature. As shown below, neither the Creation Wizard nor the configuration server is the same as a software object editor. Therefore, the claimed link is not shown.

Pages 16-17 of *SIU* teach part of a creation process, wherein the type of collector to be created is selected. However, the Collector Creation Wizard is a creator, not an editor. For instance, on page 16 of *SIU*, the Collector Wizard dialog box states, "The next few screens will assist you in creating a simple collector from a variety of sources." *SIU* does not teach that the Creation Wizard performs editing functions, but rather, teaches that it performs high-level creating. In contrast, the language of claim 1 clearly recites both 1) a creation process and 2) a software object editor in the user interface tool. The Creation Wizard is not a software object editor, as asserted in the Response to Arguments section of the Final Office Action. Thus, the first passage teaches a creation process, not a "software object editor."

Further, the configuration server is not a software object editor. While the passage teaches contacting a configuration server, that contact is not the same as "an information communication link to a software object editor," as claim 1 recites, because the configuration server is not a software object editor. It should be noted that while the configuration server has the word, "configuration" in its name, it is not an editor, but rather, is a utility that stores configurations and allows access to a wide variety of programs for setting up a Smart Internet Usage program. See the diagram on page 50 of *SIU*, which depicts the "config store," but does not teach that the configuration server performs editing functions. Thus, the first cited passage of *SIU* does not teach the claimed link because neither the Collector Creation Wizard nor the configuration server is a software object editor.

The second cited passage (pages 51-52 of *SIU*) teaches contacting the configuration server and storing the configurations, which is not the same as "an information communication link to a software object editor," as claim 1 recites. As explained above, contacting the configuration server is not the same as the above-quoted feature of claim 1

because the configuration server is not, itself, a software object editor. Further, the configuration server may store configurations, but *SIU* does not teach that it performs editing functions. Thus, the second cited passage does not teach the above-quoted feature of claim 1. Because the rejection fails to point to a software object editor, it fails to show the claimed link. Accordingly, *SIU* does not teach or suggest, "an information communication link to a software object editor, said link providing information with respect to said software object created by said software object creation process," as claim 1 recites.

In the Advisory Action, the Examiner points to two other passages alleged to show the claimed communication link of claim 1. See Advisory Action at 2. First, the Examiner points to page 15, lines 1-6. *Id.* This passage teaches that the software package (which *SIU* refers to, confusingly, as "SIU") comprises a Graphical User Interface (GUI). The passage directly following the cited passage teaches that the overall GUI includes two components: the Collector Creation Wizard and the Configuration and Admin GUI. It is unclear how the Examiner applies the cited passage to the claim. It is believed that the cited passage merely describes the overall structure of the software package and does not teach the above-recited limitation for the reasons stated above.

Second, the Examiner alleges that the session meter creation process at pages 20-21 teaches the above-recited feature. Advisory Action at 2. According to *SIU*, session meters are a type of collector that are used to monitor network use with regard to individual users or accounts. See *SIU* at 20-21. While section 4.1.5 on page 21 is titled, "Session Meter Configuration," such chapter describes creation of session meters, not editing of the meters. The session meter configuration is merely a function of the Collector Creation Wizard, which is why it is included in section 4.1, entitled "Using the Collector Creation Wizard." As explained above, the Collector Creation Wizard is not a software object editor. Therefore, the claimed link is not shown.

Dependent claims 2-4, 7-8, and 10 each depend either directly or indirectly from independent claim 1 and, thus, inherit all of the limitations of independent claim 1. Thus, *SIU* does not teach all claim limitations of claims 2-4, 7-8, and 10. It is respectfully submitted that dependent claims 2-4, 7-8, and 10 are allowable at least because of their

dependence from claim 1 for the reasons discussed above. Accordingly, Applicant respectfully requests reversal of the rejection of claims 1-4, 7-8, and 10.

B.   Claims 5 and 6

Claim 5 recites, in part, "wherein said selectable attributes are configurable by said software object editor." *SIU* does not teach this feature of claim 5. The Examiner points to the passage at pages 35-36 as teaching the feature; however, that assertion is incorrect. See Final Action at 4. The language of claim 5 specifies that the attributes are configurable by said software object editor—the same software object editor as in claim 1. However, the rejection points to a different component to teach the feature of claim 5. The cited passage teaches that the user configures collectors through the Admin pane of the Configuration and Admin GUI. The Configuration and Admin GUI is one of two parts of the software product, the other part being the Collector Creation Wizard. See *SIU* at 15. Thus, the Configuration and Admin GUI is not the same as the Collector Creation Wizard or the configuration server. However, because the Examiner alleges that either the Collector Creation Wizard or the Configuration and Admin GUI are the software object editor in claim 1, the rejection of claim 5 must fail because claim 5 recites that the software object editor is the same as the software object editor of claim 1.

Dependent claim 6 depends from claim 5 and, thus, inherits all of the limitations of claim 5. Thus, the cited combination does not teach or suggest all claim limitations of claim 6. It is respectfully submitted that claim 6 is allowable at least because of its dependence from claim 5 for the reasons discussed above. Accordingly, Applicant respectfully requests reversal of the rejection of claims 5 and 6.

C.   Claim 9

Claim 9 recites, in part, "wherein said software object configuration option process further provides selectable repeating of said software object creation process." *SIU* does not teach this feature. The Examiner asserts that the selecting collector process of pages 16-17 of *SIU* teaches this feature. Final Action at 5. It is unclear how the Examiner applies the cited portion, but based on the Response to Arguments section at page 9 of the Final Action, it is believed that the "previous" button is alleged to allow the selectable repeating.

The "previous" button allows a user who has made a mistake or changes his mind to return to a previous screen and change the choice <u>before the creation step for a given collector is finished</u>. See *SIU* at 16, first paragraph. Thus, the user can change some erroneous settings in the wizard before a collector is created, thereby redoing some portions of a single creation process. Therefore, the "previous" button allows the modifying of a creation process before the creation process is completed, but does not repeat a creation process. Accordingly, *SIU* does not teach, "wherein said software object configuration option process further provides selectable repeating of said software object creation process," as recited by claim 9. Therefore, Applicant respectfully requests reversal of the rejection of claim 9.

D.   Claim 11

Claim 11 recites, in part, "wherein said information communication link is established directly after selection of a software object attribute for which said software object editor provides configuration editing." *SIU* does not teach this feature. The Examiner cites *SIU* at pages 50-52 as teaching the feature. Final Action at 5. The cited passages teach how to use the config store in the configuration server and how the software system instantiates collectors using the configuration server at startup. On page 51, *SIU* states:

> If you are a system integrator that has created a new collector configuration in ASCII format, then you would use loadconfig to load this new config in the config store. Then it will be available for your new collector to read when you start it.

In other words, the cited passage teaches that a link is established to the configuration server after creation of a collector, rather than directly after selection of an attribute. Therefore, *SIU* does not teach "wherein said information communication link is established directly after selection of a software object attribute for which said software object editor provides configuration editing," as recited by claim 11. Therefore, Applicant respectfully requests reversal of the rejection of claim 11.

E.   Claims 12-16

Claim 12 recites, in part, "repeating said providing guidance to said user, said providing information to said user, and providing information to said software object editor to

thereby provide continuous configuration of a plurality of software objects." *SIU* does not teach the above-quoted feature of claim 12. The Final Office Action cites section 4.1.1 at page 16-17 of *SIU* as teaching the feature; however, that assertion is incorrect. See Final Action at 6. That section does not mention or teach the repeating step recited above.

SIU teaches that the Collector Creation Wizard has screens that allow a user to back up to previous steps in the creation process, as illustrated by the figures in section 4.1, which includes the cited passage at pages 16-17. The functionality is provided by a "previous" button. An example of use of the "previous" button is when a user mistakenly enters wrong creation data. For instance, if a user selects "multiple meters" from the screen at page 17, then advances to the next screen only to realize that he or she intended to select "single meter," the user can simply hit the "previous" button to redo the selection.

It appears from comments on page 9 of the Final Office Action (that are directed to claim 20) that the Final Office Action asserts that the "previous" button on the wizard interface provides the repeating feature. The "previous" button does not provide such a feature. The "previous" button allows a user who has made a mistake during the creation process to return to a previous screen and change the choice before completing the creation of a given collector. See page 16, first paragraph, of *SIU*. The "previous button" does not apply to configuration—it is limited to the creation process of the Collector Creation Wizard. Thus, the user can change some erroneous settings in the wizard during the creation process; however, because the functionality of the "previous" button is limited to creation only, the processes of claim 12 are not repeated "to thereby provide continuous configuration of a plurality of software objects," as recited by claim 12. Therefore, the above-recited feature of claim 12 is not taught by *SIU*.

In the Advisory Action, the Examiner points to another passage alleged to show the above-recited feature of claim 12. See Advisory Action at 2. The Examiner alleges that the session meter creation process at pages 20-21 teach the above-recited feature. Advisory Action at 2. It appears that the Examiner points to the ability of a user to add and remove session meters with the Add/Remove screen depicted at the top of page 21. Once again, this is merely part of the creation process, and therefore, does not teach the processes of claim 12

are repeated "to thereby provide continuous configuration of a plurality of software objects," as recited by claim 12.

Further, claim 12 also recites, in part, "providing information with respect to said software object to a software object editor to facilitate operation of said software object editor for configuring said selected ones of said attributes of said software object." *SIU* does not teach this feature of claim 12. The Examiner points to the passages at pages 16-17 and 51-52 of *SIU* to teach the feature. Final Action at 6. Those passages, however, merely teach the Collector Creation Wizard and the configuration server. As shown above with regard to claim 1, neither the Collector Creation Wizard nor the configuration server provide an editing function, and therefore, neither is the claimed software object editor. Because the cited portions fail to teach the claimed software object editor, *SIU* does not teach "providing information with respect to said software object to a software object editor to facilitate operation of said software object editor for configuring said selected ones of said attributes of said software object," as recited by claim 12.

Still further, claim 12 recites, in part, "providing information to said user with respect to configuring selected ones of said attributes of said software object through use of a user interface tool providing said guidance to said user." *SIU* does not teach the above-quoted feature of claim 12. See p. 28 of *SIU*, which depicts a "FINISHED" screen that provides a user with several choices. The passage teaches that a user may make configuration changes by launching the GUI; however, there is no indication that information is provided to a user "with respect to configuring selected ones of said attributes" because there is nothing presented to the user to explain why he or she would want to launch the GUI nor to explain what he would need to do to configure attributes. Thus, *SIU* does not teach "providing information to said user with respect to configuring selected ones of said attributes of said software object through use of a user interface tool providing said guidance to said user," as recited by claim 12.

Dependent claims 13-16 each depend either directly or indirectly from independent claim 12 and, thus, inherit all of the limitations of independent claim 12. Thus, *SIU* does not teach all claim limitations of claims 13-16. It is respectfully submitted that dependent claims 13-16 are allowable at least because of their dependence from claim 12 for the reasons

discussed above. Accordingly, Applicant respectfully requests reversal of the rejection of claims 12-16.

F.   Claim 17

Claim 17 recites, in part, "activating said selectable activation of said information communication link upon completion of said providing guidance to said user." *SIU* does not teach this feature. The Examiner cites the passage at pages 50-52 of *SIU* as teaching the feature. Final Action at 6. The cited passages teaches how to use the config store in the configuration server and how the software system instantiates collectors using the configuration server at startup. On page 51, *SIU* states:

> If you are a system integrator that has created a new collector configuration in ASCII format, then you would use loadconfig to load this new config in the config store. Then it will be available for your new collector to read when you start it.

In other words, the cited passage teaches that a link is established to the configuration server after creation of a collector, rather than upon completion of providing guidance to a user with respect to selection of attributes. Therefore, *SIU* does not teach "activating said selectable activation of said information communication link upon completion of said providing guidance to said user," as recited by claim 17. Accordingly, Applicant respectfully requests reversal of the rejection of claim 17.

G.   Claim 18

Claim 18 recites, in part, "activating said selectable activation of said information communication link upon selection of a software object aspect for which said software object editor provides configuration editing." *SIU* does not teach this feature. The Examiner cites the passage at pages 50-52 of *SIU* as teaching the feature. Final Action at 6. The cited passages teaches how to use the config store in the configuration server and how the software system instantiates collectors using the configuration server at startup. On page 51, *SIU* states:

> If you are a system integrator that has created a new collector configuration in ASCII format, then you would use loadconfig to load this new config in the

config store. Then it will be available for your new collector to read when you
start it.

In other words, the cited passage teaches that a link is established to the configuration server
after creation of a collector, rather than upon selection of a software object. Therefore, *SIU*
does not teach "activating said selectable activation of said information communication link
upon selection of a software object aspect for which said software object editor provides
configuration editing," as recited by claim 18. Accordingly, Applicant respectfully requests
reversal of the rejection of claim 18.

H.   Claim 20

Claim 20 recites, in part, "wherein said data collector configuration option process
also includes a user selectable option to repeat operation of said data collector creation
process." The Final Office Action cites pages 16-17 of *SIU* as teaching the above-quoted
feature of claim 20. However, the cited passage does not teach the feature.

SIU teaches that the Collector Creation Wizard has screens that allow a user to back
up to previous steps in the creation process, as illustrated by the figures in section 4.1, which
includes the cited passage at pages 16-17. The functionality is provided by a "previous"
button. An example of use of the "previous" button is when a user mistakenly enters wrong
creation data. For instance, if a user selects "multiple meters" from the screen at page 17,
then advances to the next screen only to realize that he or she intended to select "single
meter," the user can simply hit the "previous" button to redo the selection.

It appears from comments on page 9 of the Final Office Action that the Final Office
Action asserts that the "previous" button on the wizard interface provides the repeating
feature. The "previous" button does not provide such a feature. The "previous" button
allows a user who has made a mistake or changes his mind to return to a previous screen and
change the choice before the creation step for a given collector is finished. See *SIU* at 16,
first paragraph. Thus, the user can change some erroneous settings in the wizard before a
collector is created, thereby redoing some portions of a single creation process; however, the
data collector creation process is not repeated by the "previous" button. Accordingly, *SIU*
does not teach, "wherein said data collector configuration option process also includes a user

selectable option to repeat operation of said data collector creation process," as recited by claim 20.

Further, claim 20 recites, in part, "wherein said data collector configuration option process includes a user selectable option to establish a communication link with and launch an external editor process, said communication link providing information with respect to said data collector created by said data collector creation process to facilitate configuration of said data collector using said editor process." The cited portions of *SIU* do not teach the above-recited feature because the cited portions do not teach an external editor process, and, therefore, also do not teach the claimed link. The Examiner rejects claim 20 with the same logic that was used to reject claims 1-11. Final Action at 6. Therefore, it is assumed that the Examiner points to pages 16-17 and 51-52 of *SIU* to allege that the Collector Creation Wizard and the configuration server are the claimed external editor process. However, as shown above with regard to claim 1, neither the Collector Creation Wizard nor the configuration server perform editing functions. Once again, the Collector Creation Wizard is a creation tool, and the cited portions do not teach that it performs editing. Also, the configuration server stores configurations, but is not taught to perform editing. Therefore, the cited portions do not teach, "wherein said data collector configuration option process includes a user selectable option to establish a communication link with and launch an external editor process, said communication link providing information with respect to said data collector created by said data collector creation process to facilitate configuration of said data collector using said editor process," as recited by claim 12 because they do not teach the claimed external editor process or the link. Therefore, Applicant respectfully requests reversal of the rejection of claim 20.

VIII.   CLAIMS

A copy of the claims involved in the present appeal is attached hereto as Appendix A. As indicated above, the claims in Appendix A do include the amendments filed on February 17, 2005.

IX.   EVIDENCE

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the examiner is being submitted.

X.   RELATED PROCEEDINGS

No related proceedings are referenced in II. above, or copies of decisions in related proceedings are not provided, hence no Appendix is included.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV482710963US, in an envelope addressed to: MS Appeal Brief, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date of Deposit: June 24, 2005

Typed Name: Donna Forbit

Signature: _Donna Jerbit_

Respectfully submitted,

By _R. R. V._

R. Ross Viguet
Attorney/Agent for Applicant(s)
Reg. No.: 42,203

Date: June 24, 2005

Telephone No. (214) 855-8185

APPENDIX A

Claims Involved in the Appeal of Application Serial No. 09/940,193

1.   A user interface tool comprising:
a software object creation process providing guidance to a user with respect to creation of a software object by said software object creation process; and
an information communication link to a software object editor, said link providing information with respect to said software object created by said software object creation process to facilitate operation of said software object editor with respect to said software object.

2.   The user interface tool of claim 1 wherein said software object creation process comprises a software wizard.

3.   The user interface tool of claim 1 wherein said software object comprises a data collector.

4.   The user interface tool of claim 1 wherein said software object comprises a plurality of selectable attributes for which said software object creation process facilitates selection of by said user.

5.   The user interface tool of claim 4 wherein said selectable attributes are configurable by said software object editor.

6.   The user interface tool of claim 5 wherein said selectable attributes must be configured by said software object editor prior to proper operation of said software object.

7.   The user interface tool of claim 1 further comprising:
a software object configuration option process providing said user with information with respect to configuration of said software object.

8.   The user interface tool of claim 7 wherein said software object configuration option process provides selectable activation of said information communication link.

9.   The user interface tool of claim 8 wherein said software object configuration option process further provides selectable repeating of said software object creation process.

10.   The user interface tool of claim 1 wherein said information communication link is established after completion of said software object creation process.

11.   The user interface tool of claim 1 wherein said information communication link is established directly after selection of a software object attribute for which said software object editor provides configuration editing.

12.   A method for configuring a software object, said method comprising:
        providing guidance to a user with respect to selection of attributes of a software object;
        providing information to said user with respect to configuring selected ones of said attributes of said software object through use of a user interface tool providing said guidance to said user;
        providing information with respect to said software object to a software object editor to facilitate operation of said software object editor for configuring said selected ones of said attributes of said software object; and
        repeating said providing guidance to said user, said providing information to said user, and providing information to said software object editor to thereby provide continuous configuration of a plurality of software objects.

13.   The method of claim 12 wherein said providing guidance with respect to selection of attributes of said software object guides said user through creating said software object.

14.   The method of claim 12 wherein said software object created by said software object creation process comprises a data collector and said attributes of said software object include a data input aspect, a data processing aspect, and a data store aspect.

15.   The method of claim 12 wherein said attributes of said software object are configured by said software object editor prior to proper operation of said software object.

16.   The method of claim 12 wherein said providing information to said software object editor utilizes selectable activation of an information communication link between said user interface tool providing said guidance to said user and said software object editor.

17.   The method of claim 16 further comprising:

activating said selectable activation of said information communication link upon completion of said providing guidance to said user.

18.   The method of claim 16 further comprising:

activating said selectable activation of said information communication link upon selection of a software object aspect for which said software object editor provides configuration editing.

20.   A computer program product for use in creating a data collector and providing configuration of said data collector, said computer program product comprising:

a processor readable medium having processor readable code stored thereon, wherein said processor readable code includes;

a data collector creation process providing guidance to a user with respect to creation of a software object;

a data collector configuration option process operable after completion of said data collector creation process, wherein said data collector configuration option process provides information with respect to configuration of said software object created by said data collector creation process, wherein said data collector configuration option process includes a user selectable option to establish a communication link with and launch an external editor process, said communication link providing information with respect to said data collector created by said data collector creation process to facilitate configuration of said data collector using said editor process, and wherein said data collector configuration option process also includes a user selectable option to repeat operation of said data collector creation process and said data collector configuration option process for creating and configuring a plurality of data collectors.